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7 *Attorneys for plaintiff and counter-defendant The*  
8 *Bank of New York Mellon f/k/a The Bank of New*  
9 *York as Trustee for the Certificateholders of*  
10 *CWMBS, Inc., CHL Mortgage Pass-Through Trust*  
11 *2004-29, Mortgage Pass-Through Certificates, Series*  
12 *2004-29 2505 W. Chandler Blvd., Chandler, AZ 85224*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

12 THE BANK OF NEW YORK MELLON F/K/A  
13 THE BANK OF NEW YORK AS TRUSTEE  
14 FOR THE CERTIFICATEHOLDERS OF  
15 CWMBS, INC., CHL MORTGAGE PASS-  
16 THROUGH TRUST 2004-29, MORTGAGE  
17 PASS-THROUGH CERTIFICATES, SERIES  
18 2004-29 2505 W. CHANDLER BLVD.,  
19 CHANDLER, AZ 85224,

Plaintiff,

vs.

18 CASCADE HOMEOWNERS ASSOCIATION,  
19 INC.; DAISY TRUST; and ABSOLUTE  
20 COLLECTION SERVICES LLC,

Defendants.

21 DAISY TRUST,

Counterclaimant,

22 vs.

23  
24 THE BANK OF NEW YORK MELLON F/K/A  
25 THE BANK OF NEW YORK AS TRUSTEE  
26 FOR THE CERTIFICATEHOLDERS OF  
27 CWMBS, INC., CHL MORTGAGE PASS-  
28 THROUGH TRUST 2004-29, MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES  
2004-29 2505 W. CHANDLER BLVD.,  
CHANDLER, AZ 85224.

Counter-defendant.

Case No.: 2:16-cv-01317-JCM-GWF

**STIPULATION AND ORDER TO  
DISMISS WITH PREJUDICE**

1 Plaintiff and counter-defendant The Bank of New York Mellon f/k/a The Bank of New York  
2 as Trustee for the Certificateholders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2004-29,  
3 Mortgage Pass-Through Certificates, Series 2004-29 2505 W. Chandler Blvd., Chandler, AZ 85224  
4 (**BoNYM**), defendant Cascade Homeowners Association, Inc., defendant and counterclaimant Daisy  
5 Trust, and defendant Absolute Collection Services, LLC, stipulate to dismiss all claims in this action,  
6 with prejudice, each party to bear its own attorneys' fees and costs.

7 Cascade further acknowledges the court (1) taxed costs against BoNYM in the amount of  
8 \$38.55 pursuant to its bill of costs on September 13, 2017 and (2) entered judgment in its favor and  
9 against BoNYM on September 20, 2017, in the amount of \$2,740.50, pursuant to its motion for  
10 attorneys' fees. (ECF Nos. 59 and 61.) Cascade hereby stipulates and agrees to waive its fee and  
11 cost awards and judgment, such that each party will bear its own attorneys' fees and costs.

12 To the extent BoNYM or the court so requests, Cascade will file a satisfaction of judgment  
13 confirming its cost and fee awards have been fully satisfied.

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The lis pendens recorded on July 13, 2016 as instrument no. 201607130001200 is to be expunged and be of no further force or effect.

DATED this 29th day of January 2020.

**AKERMAN LLP**

**BOYACK ORME & ANTHONY**

/s/ William S. Haldas

/s/ Colli C. McKiever

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*Attorneys for defendant Cascade Homeowners Association, Inc.*

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**ABSOLUTE COLLECTION SERVICES, LLC**

/s/ Michael F. Bohn

/s/ Shane D. Cox

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*Attorneys for defendant and counter-claimant Daisy Trust*

**ORDER**

IT SO ORDERED.

James C. Mahan  
UNITED STATES DISTRICT COURT JUDGE

Case No.: 2:16-cv-01317-JCM-GWF

DATED: January 31, 2020

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